

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**LORI JENKINS,**

**Defendant.**

**8:13CR395**

**MEMORANDUM AND ORDER**

This matter is before the Court on the Defendant's Motion for "Compassionate Release or Reduction in Sentence," ECF No. 148. The Defendant seeks a reduction or modification of her sentence pursuant to 18 U.S.C. § 3582(c)(1)(A) as amended by Section 603 of the First Step Act, Pub. L. No. 115-391, 132 Stat. 5194 (2018).

The Defendant states that she has sleep apnea, hypertension, and obesity, which make her vulnerable to adverse consequences if she contracts coronavirus. Although she seeks a reduced sentence and release from federal custody, she acknowledges that she has a detainer for a consecutive state court sentence of eight to ten years.

In Section 603 of the First Step Act, Congress amended 18 U.S.C. § 3582(c)(1)(A) to permit defendants to move a sentencing court for compassionate release "after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier."

The Defendant makes no reference to any efforts she may have made to exhaust her administrative remedies, and includes no attachments demonstrating any such efforts. The Court will not entertain the Defendant's request for compassionate release

until she has complied with the prerequisites of 18 U.S.C. § 3582(c)(1)(A) as quoted, above. Accordingly,

IT IS ORDERED:

1. The Defendant's Motion for Compassionate Release or Reduction in Sentence, ECF No. 148, is denied without prejudice to reassertion following proper exhaustion of administrative remedies; and
2. The Clerk will mail a copy of this Memorandum and Order to the Defendant at her last known address.

Dated this 26<sup>th</sup> day of May 2020.

BY THE COURT:

s/Laurie Smith Camp  
Senior United States District Judge